

IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
S/S Arcadia Avenue, 205' & 280' E	* ZONING COMMISSIONER
of the c/l of Hanover Pike	* OF BALTIMORE COUNTY
(5429 & 5431 Arcadia Avenue)	* Case Nos. 97-132-SPH and
5th Election District	97-136-SPH
3rd Councilmanic District	*
Ernest F. Standiford, et ux	
Petitioners	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as companion Petitions for Special Hearing for the subject adjoining properties known as 5429 and 5431 Arcadia Avenue, located in the vicinity of Hanover Pike in Upperco. The Petitions were filed by the owners of the properties, Ernest F. and Arline C. Standiford. In both cases, relief is sought to approve the subject properties as legal, nonconforming building lots, having existed in their current shape and size since prior to June 15, 1945. The subject properties and relief sought are more particularly described on the site plan submitted in each case, and identified as Petitioner's Exhibits 1.

Appearing at the hearing on behalf of the Petitions were Ernest and Arline Standiford, property owners, and Roy (A.L.) Snyder, Registered Property Line Surveyor, who prepared the site plans for both properties. Robert a Griesmyer, a realtor, also appeared in support of the Petition. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that these two properties are located adjacent to one another along Arcadia Avenue in a rural area of Baltimore County, approximately six miles north of Reisterstown. The property known as 5429 Arcadia Avenue consists of 31,680 sq.ft. zoned R.C.2 and is improved with a 1.5 story dwelling, and several accessory structures

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

to the rear of the site. The property is rectangular in shape, approximately 90 feet wide and 340 to 360 feet deep. The property known as 5431 Arcadia Avenue is unimproved and immediately adjoins the other lot. This property consists of 30,220 sq.ft., also zoned R.C. 2, and serves as a large side yard to the property at 5429 Arcadia Avenue. The Standifords testified that they acquired both properties simultaneously in 1954 and have resided at 5429 Arcadia Avenue since that time. They testified that both properties are separate lots of record, independently described in the Land Records for Baltimore County, and that separate property tax bills are issued for each property.

Mr. Snyder noted that he had examined the Land Records for Baltimore County regarding these properties. He testified that both properties existed as independent lots prior to 1945, the date that the first zoning regulations were enacted in Baltimore County. Thus, Mr. Snyder believes that the lots are nonconforming and that each may be utilized as an individual building lot.

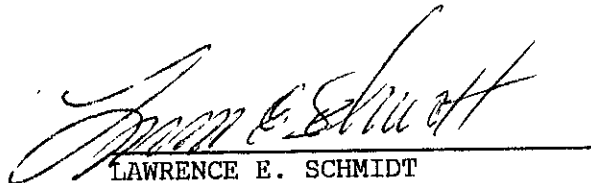
Further testimony indicated that the Petitioners are apparently retiring to Florida. Mr. Standiford testified that 5429 Arcadia Avenue and the dwelling thereon have been sold and that settlement on that property will occur in the near future. The Petitioners anticipate selling the property at 5431 Arcadia Avenue as an independent lot, after which the new owners will no doubt construct a single family dwelling thereon.

A nonconforming use is defined in Section 101 of the B.C.Z.R. and regulated in Section 104. Essentially, nonconforming use designations are applied to grandfather a given property from the zoning regulations. If the Petitioner can establish that the property's size and/or improvements thereon predate the regulations, then the regulations are not applicable.

In this case, it is abundantly clear that the subject properties have existed as two independent lots since prior to the adoption of the B.C.Z.R. in 1945, and thus, enjoy a legal, nonconforming use as two separate building lots. Therefore, the Petition for Special Hearing in both cases should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3/20 day of October, 1996 that the Petitions for Special Hearing to approve the properties known as 5429 and 5431 Arcadia Avenue as legal, nonconforming building lots, having existed in their current shape and size since prior to June 15, 1945, in accordance with Petitioner's Exhibits 1, be and are hereby GRANTED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER FILED FOR FILING
10/31/96
[Signature]

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 31, 1996

Mr. & Mrs. Ernest F. Standiford
P.O. Box 34
5429 Arcadia Avenue
Upperco, Maryland 21155

RE: PETITIONS FOR SPECIAL HEARING
S/S Arcadia Avenue, 205' & 280' E of the c/l of Hanover Pike
(5429 & 5431 Arcadia Avenue)
5th Election District - 3rd Councilmanic District
Ernest F. Standiford, et ux - Petitioners
Case Nos. 97-132-SPH and 97-136-SPH

Dear Mr. & Mrs. Standiford:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Roy (A.L.) Snyder
1911 Hanover Pike, Hampstead, Md. 21074

People's Counsel

File

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Petition for Special Hearing

97-136-SPH

to the Zoning Commissioner of Baltimore County

for the property located at

#5431 Arcadia Avenue

which is presently zoned

RC 2

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The subject Lot as a legally

Non-conforming building Lot, having existed in its current shape and size

since prior to October 6, 1945.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s).

Ernest F. Standiford

(Type or Print Name)

Signature

Arline C. Standiford

(Type or Print Name)

Signature

P.O. Box 34

5429 Arcadia Ave.

Address

Phone No

Upperco

MD

21155

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

A. L. Snyder

Name

1911 Hanover Pike

(410) 239-7744

Address

Hampstead, MD 21074

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

9-25-96

Revised 9/5/95

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137

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10/31/96
0280

A. L. Snyder

Surveyor, Inc.

1911 Hanover Pike

Hampstead, Maryland 21074

97-136-SPT

(410) 239-7744

Zoning Description

(410) 374-9695

September 17, 1996

Beginning for the same in or near the center of
Arcadia Avenue, at the distance of 205 feet,
more or less, east of the center line of Maryland
Route No. 30 (Hanover Pike), which is 66 feet
wide, thence running the following courses and
distances,

- 1.) S $2\frac{1}{2}^{\circ}$ W 171 $\frac{1}{2}$ feet,
- 2.) S $2\frac{1}{2}^{\circ}$ W 214 $\frac{1}{2}$ feet,
- 3.) N $72\frac{3}{4}^{\circ}$ E 90 $\frac{1}{2}$ feet,
- 4.) N $0\frac{1}{4}^{\circ}$ W 364 $\frac{1}{2}$ feet,
- 5.) S $85\frac{1}{4}^{\circ}$ W 75 $\frac{1}{2}$, to the place of beginning.

Being the first parcel of land conveyed by D. Roxie Hodges to Ernest F.
Standiford and Arline C. Standiford, his wife, by deed dated April 27, 1980
and recorded among the Land Records of Baltimore County, Maryland in Liber
S.M. 8478 folio 376 etc., also known as # 5431 Arcadia Avenue and located
in the Fifth Election District.



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CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/10, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/10, 1996.

THE JEFFERSONIAN,
A. H. Embick
LEGAL AD. - TOWSON

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NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property described herein in Room 105 of the County Office Building, 111 W. Chase Avenue, Towson, Maryland 21204 at 10:00 a.m. on Tuesday, October 23, 1996 at 10:00 a.m. in Room 118, Old Courthouse.
Case #97-136-SFH
(Item 137)
5431 Anzette Avenue
SS Anzette Avenue, 215 47 E at 21 Hanover Pike
5th Election District
3rd Councilmanic Legal Owner(s):
Ernest F. Standford and Arlene C. Standford
Special Hearing to approve the subject lot as a legally non-conforming building lot, being zoned in its current shade and size zone prior to October 6, 1995.
Hearing Tuesday, October 23, 1996 at 10:00 a.m. in Room 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible, for special accommodations please call 887-3333.
(2) For information concerning the file and/or hearing, please call 887-3391.
10/13/ Oct 10 C89768

CERTIFICATE OF POSTING

RE: Case No.: 97-136-SPH

Petitioner/Developer: ERNEST STANDIFORD, ET AL

Date of Hearing/Closing: OCT. 29, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 5431 ARCADIA AVENUE

The sign(s) were posted on OCTOBER 14, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD, 21030

(City, State, Zip Code)

666-5366

(Telephone Number)

MICROFILMED

ZONING NOTICE

Case # 37 156 SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSION
ON MONDAY, MAY 10, 1965

SPECIAL HEARING

WILL BE HELD AT THE ZONING COMMISSION
ON MONDAY, MAY 10, 1965, AT 7:00 P.M.
IN THE BOARD ROOM OF THE CITY OF CHICAGO
100 NORTH LAKE STREET, CHICAGO, ILL. 60602

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 10-6-96.

Format for Sign Printing, Black Letters on White Background:

97-136-SPH

ZONING NOTICE**Case No.:** _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____**DATE AND TIME:** _____

REQUEST: APPEAL of THE SUBJECT LOT AS A
LEGALLY NON-CONFORMING BUILDING LOT, HAVING
EXISTED IN ITS CURRENT SHAPE AND SIZE
SINCE PRIOR TO OCTOBER 6, 1945.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW**HANDICAPPED ACCESSIBLE**

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
ISCELLANEOUS CASH RECEIPT

137 No.

024884

DATE 9-25-96 ACCOUNT Rec 1-6150

RECEIVED Loose Standard AMOUNT \$ 50.00
FROM: SP-426 (030) 5431 Acc 21-96

FOR: _____

DIADONAL MICHE
BA FNO9A2AM09-25-96

INITIALS OF CASHIER PMK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

50.00

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-136-SPH

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 137 Petitioner: ERNEST F. STANDIFORD & ARLINE C. STANDIFORD

Location: 5431 ARCADIA AVENUE UPPERCO, MD. 21155

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ERNEST F. STANDIFORD

ADDRESS: P.O. BOX 34

UPPERCO, MD. 21155

PHONE NUMBER: (410) 394-9904

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137

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B. _____
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ ERNEST F. STANDIFORD P.O. Box 34 LIPPIETOWN, MD. 21155 (410) 374-9904
Print Name of Applicant Address Telephone Number

☐ Lot Address 5431 ARCADIA AVENUE Election District 5 Council District 3 Square Feet 39,220

Lot Location: NE side / corner of ARCADIA AVENUE, 205 feet from NE side corner of HANDLER PIKE (MD RT 30)
(street) (street)

Land Owner ERNEST F. STANDIFORD Tax Account Number 0508065376

Address P.O. Box 34 Telephone Number (410) 374-9904
LIPPIETOWN, MARYLAND 21155

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>✓</u>	<u> </u>
2. Permit Application	<u> </u>	<u>✓</u>
3. Site Plan	<u>✓</u>	<u> </u>
Property (3 copies)	<u>✓</u>	<u> </u>
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>✓</u>	<u> </u>
4. Building Elevation Drawings	<u>✓</u>	<u> </u>
5. Photographs (please label all photos clearly)	<u>✓</u>	<u> </u>
Adjoining Buildings	<u>✓</u>	<u> </u>
Surrounding Neighborhood	<u> </u>	<u> </u>

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by ZADW

Date

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: 10/16/94

TO: PUTUXENT PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

Ernest F. Standiford
P. O. Box 34
Upperco, MD 21155
374-9904

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-136-SPH(Item 137)
5431 Arcadia Avenue
S/S Arcadia Avenue, 205'+/- E of c/l Hanover Pike
5th Election District - 3rd Councilmanic
Legal Owner(s): Ernest F. Standiford and Arline C. Standiford

Special Hearing to approve the subject lot as a legally non-confirming building lot, having existed in its current shape and size since prior to October 6, 1945.

HEARING: TUEADAY, OCTOBER 29, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

FILED OCT 30 1996



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-136-SPH(Item 137)
5431 Arcadia Avenue
S/S Arcadia Avenue, 205' +/- E of c/l Hanover Pike
5th Election District - 3rd Councilmanic
Legal Owner(s): Ernest F. Standiford and Arline C. Standiford

Special Hearing to approve the subject lot as a legally non-confirming building lot, having existed in its current shape and size since prior to October 6, 1945.

HEARING: TUEADAY, OCTOBER 29, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large loop at the end.

Arnold Jablon
Director

cc: Ernest and Arline Standiford
A. L. Snyder

- NOTES: (1) THE ZONING NOTICE SIGN MUST BE POSTED ON THE PROPERTY BY OCTOBER 14, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Ernest F. Standiford
P.O. Box 34
5429 Arcadia Avenue
Upperco, MD 21155

RE: Item No.: 137
Case No.: 97-136-SPH
Petitioner: E. Standiford, et ux

Dear Mr. and Mrs. Standiford:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: R. Bruce Seeley *RS/gp*
DEPRM

SUBJECT: Zoning Item #137 - Standiford Property
5431 Arcadia Avenue
Zoning Advisory Committee Meeting of October 7, 1996

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10/7/96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 137 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 131, 132, 133, 134, 135, 136,
137, 138, 139, 140, 141, 142, 146 AND 147.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED

cc: File



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: October 16, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 137 & 145

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Keras

PK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 17, 1996

FROM: *Sub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 15, 1996
Revised Item #84 (on 9/25/96)
and
Item Nos. 131, 132, 133, 135, 136,
137, 138, 140, 142, 144, 146,
& 147

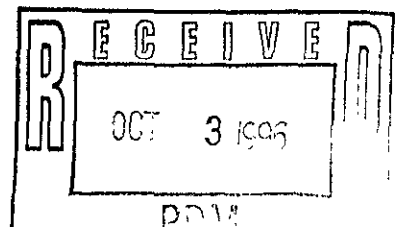
The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE31

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BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

97-136-SPH

DATE: September 25, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #137
5431 Arcadia Avenue

Applicant was advised of Section 304 variance procedure.

JCM:scj

REC

PETITION PROBLEMS

#137 --- JCM

1. No telephone number for legal owner.

#138 --- MJK

1. No telephone number for legal owner.

#140 --- JRA

1. Petition says zoning is R.C.-2; folder says D.R.-1.

#141 --- JRA

1. No telephone number for legal owner.

#145 --- JLL/JCM

1. No attorney signature on the variance form.

#146 --- CAM

1. No signature for either legal owner on form.
2. No telephone number for legal owner.
3. No description for property on folder.

#147 --- JCM

1. No item number on petition forms.
2. No review information on petition forms.

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137

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ ERNEST F. STANDIFORD P.O. Box 34 LIPPERCOW, MD. 21155 (410) 374-9904
Print Name of Applicant Address Telephone Number

☐ Lot Address 5431 ARCADIA AVENUE Election District 5 Council District 3 Square Feet 39,220
Lot Location: NE SW / side / corner of ARCADIA AVENUE, 205 feet from NE SW corner of HANOVER PILE (MD RT 30)
(street) (street)

Land Owner ERNEST F. STANDIFORD Tax Account Number 0508065376

Address P.O. Box 34 Telephone Number (410) 374-9904
LIPPERCOW, MARYLAND 21155

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation

	YES	NO	PROVIDED?
1. This Recommendation Form (3 copies)	<u>✓</u>	<u> </u>	<div style="border: 1px dashed black; padding: 5px;"> Residential Processing Fee Paid Codes 030 & 080 (\$85) Accepted by <u>ZADM</u> Date <u> </u> </div>
2. Permit Application	<u> </u>	<u>✓</u>	
3. Site Plan	<u>✓</u>	<u> </u>	
Property (3 copies)	<u> </u>	<u> </u>	
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>✓</u>	<u> </u>	
4. Building Elevation Drawings	<u>✓</u>	<u> </u>	
5. Photographs (please label all photos clearly)	<u>✓</u>	<u> </u>	
Adjoining Buildings	<u> </u>	<u> </u>	
Surrounding Neighborhood	<u> </u>	<u> </u>	

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

MICROFILMED

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: 10/16/96

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by J. W. RAPP on 9-25-96
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 10-7 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-22 C (B-3 Work Days)

TENTATIVE DECISION DATE 10-25 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
5431 Arcadia Avenue, S/S Arcadia Avenue,	*	ZONING COMMISSIONER
205'+/- E of c/l Hanover Pike	*	OF BALTIMORE COUNTY
5th Election District, 3rd Councilmanic	*	CASE NO. 97-136-SPH
Ernest F. and Arline C. Standiford		
Petitioners		

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

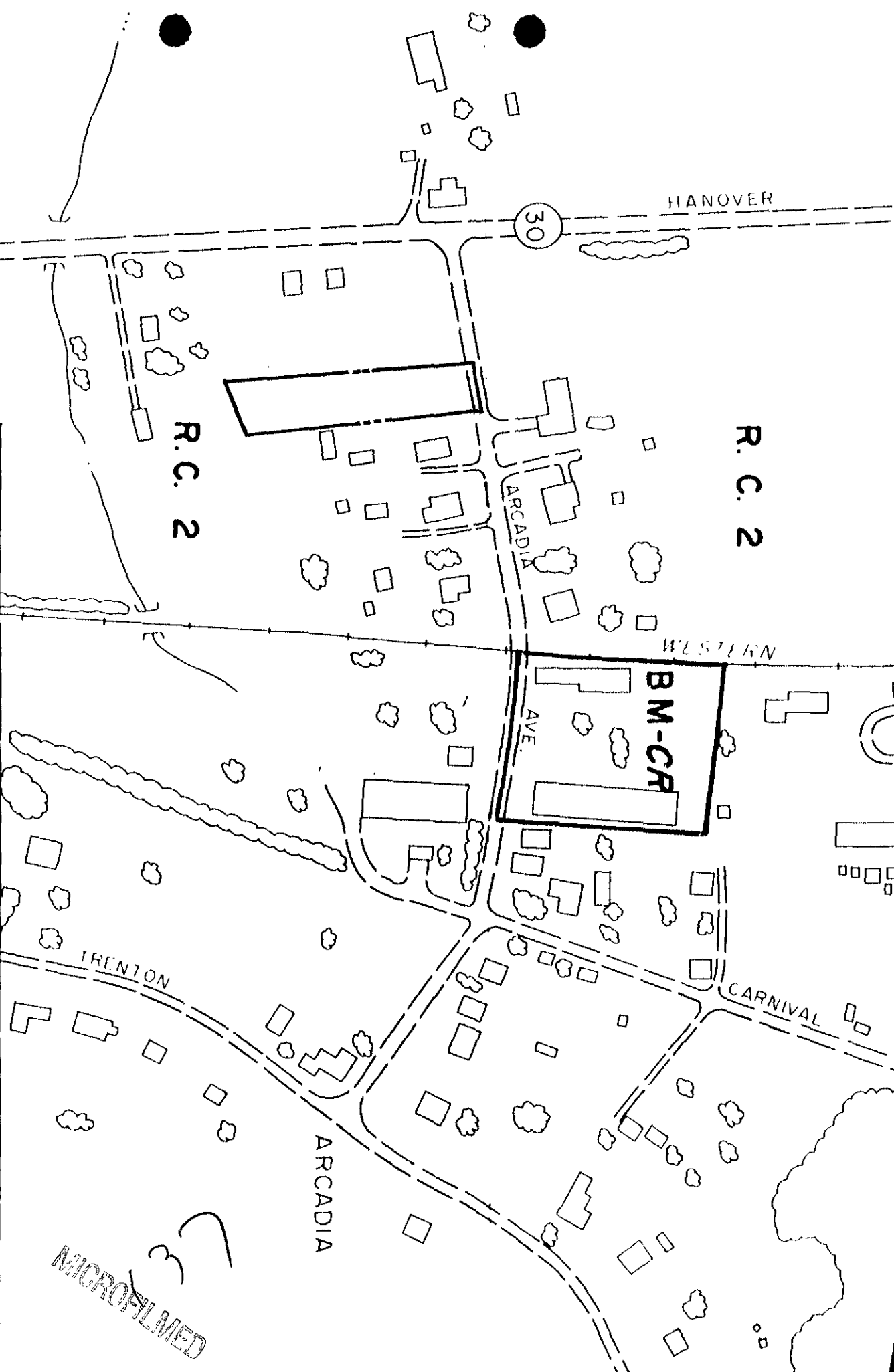
I HEREBY CERTIFY that on this 29th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to A.L. Snyder, 1911 Hanover Pike, Hampstead, MD 21074, representative for Petitioners.

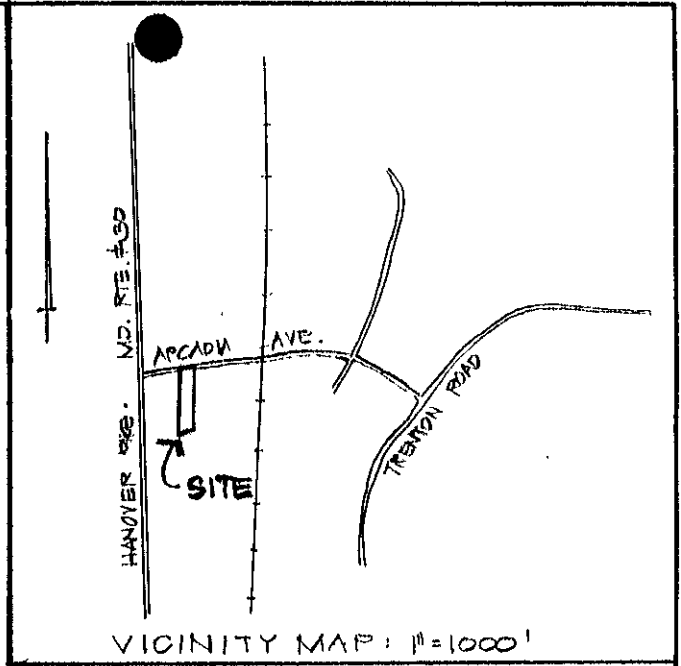
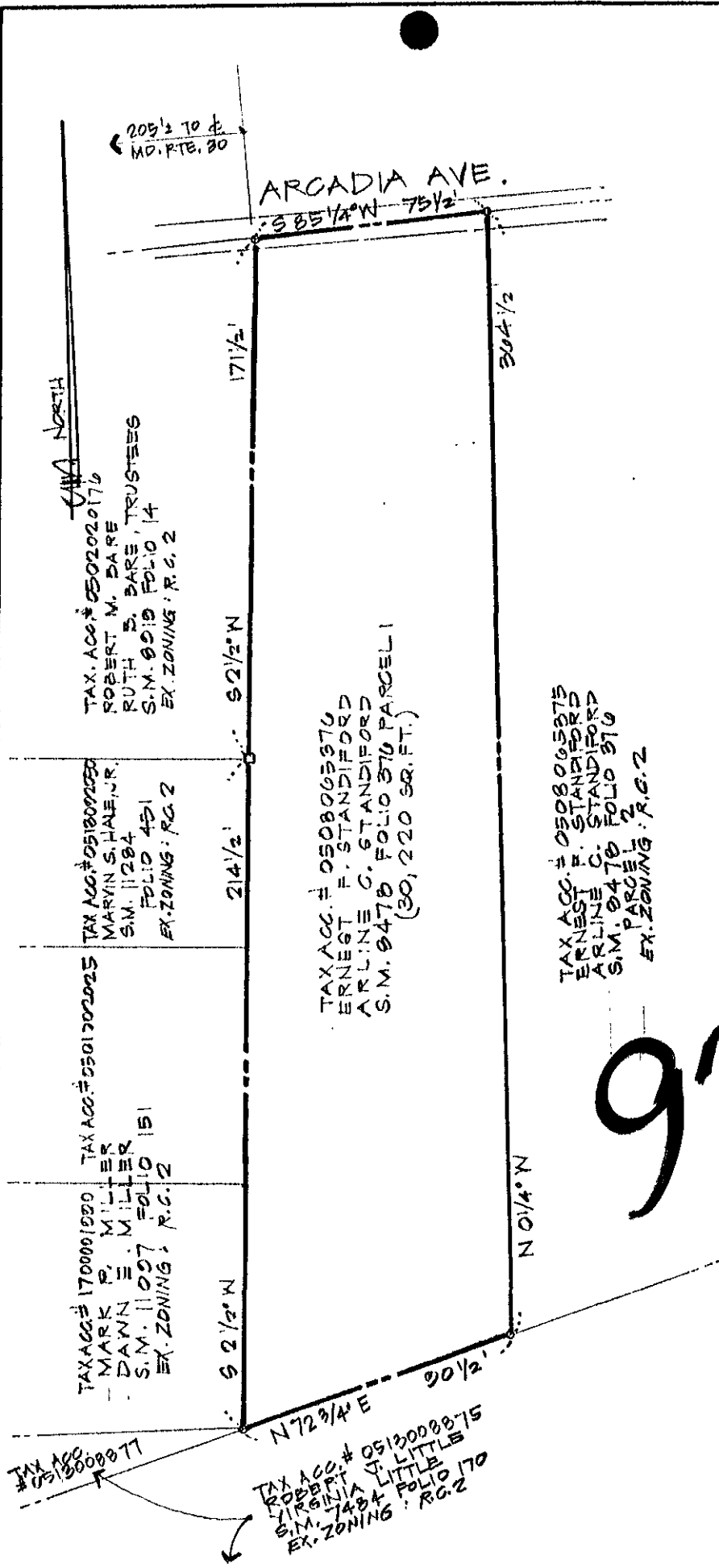
Peter Max Zimmerman
PETER MAX ZIMMERMAN

SHEET - C.A.

W 63,000

1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992		SCALE 1" = 200' ±		LOCATION ARCADIA		SHEET N W 25-K	
<i>William A. Howard</i> Chairman, County Council		DATE OF PHOTOGRAPHY JANUARY 1986					





NOTES:
 1. CURRENT ZONING: R.C. 2 (MAP NW25K)
 2. AREA: 30,220 SQ. FT.
 3. TAX MAP: 25 BLOCK 10 PARCEL 03

97-136-SPH

137

PLAN TO ACCOMPANY PETITION FOR
 SPECIAL HEARING FOR PARCEL #1
 OF LIBER S.M. 8478 FOLIO 376, ETC.

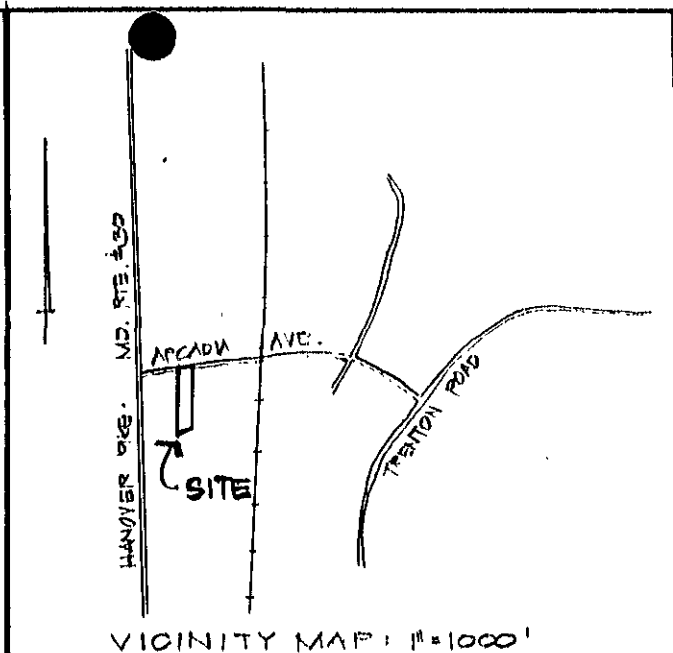
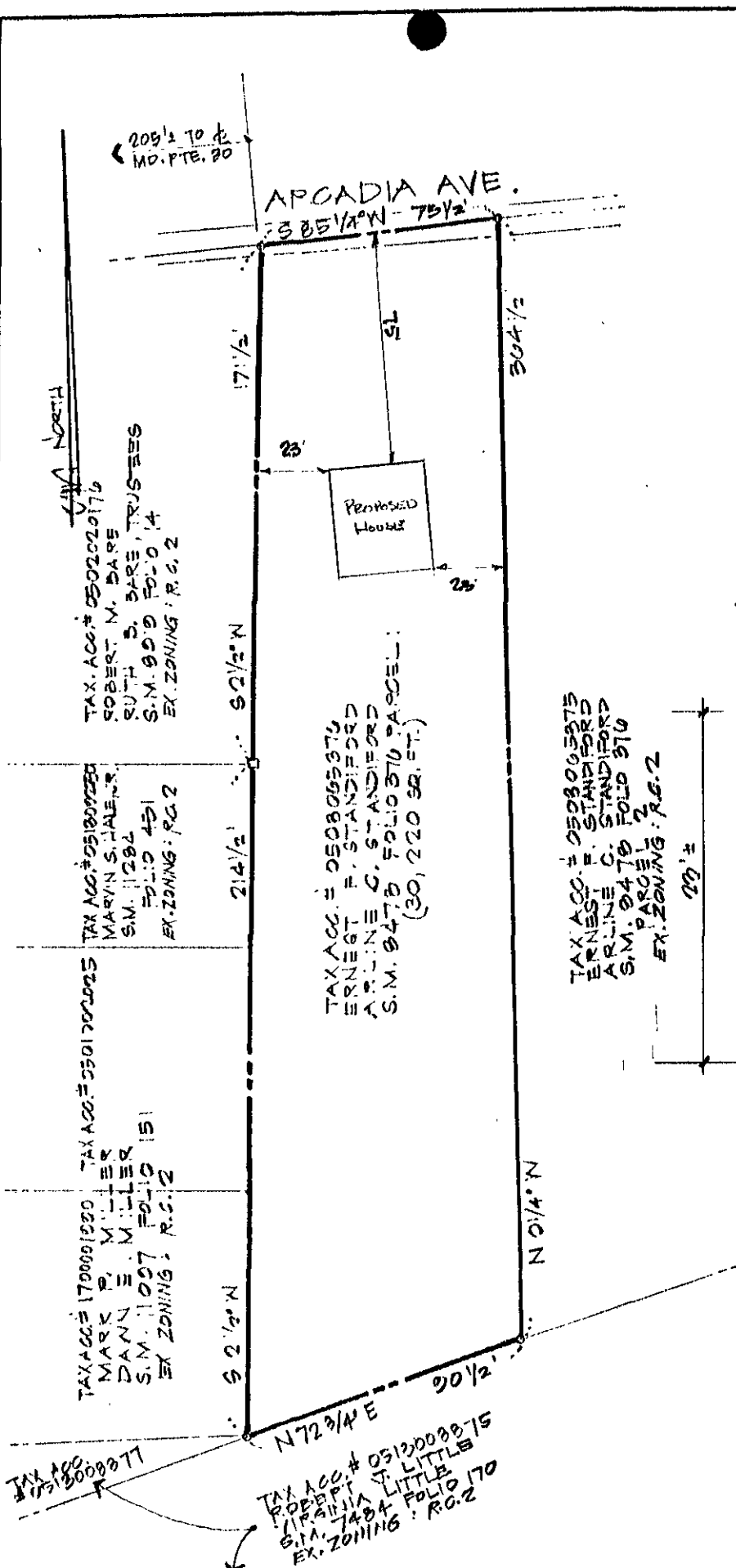
5TH ELECTION DISTRICT • BALTIMORE COUNTY, MD.
 COUNCILMANIC DISTRICT 8 • CENSUS TRACT: 4050
 DATE: SEPTEMBER 16, 1996 • SCALE: 1"=50'



PREPARED BY:
 A. L. SNYDER
 SURVEYOR, INC.
 1911 HANOVER PIKE
 HAMPSTEAD, MD. 21074
 410-239-7744

MICROFILMED

JOB NO. 26040



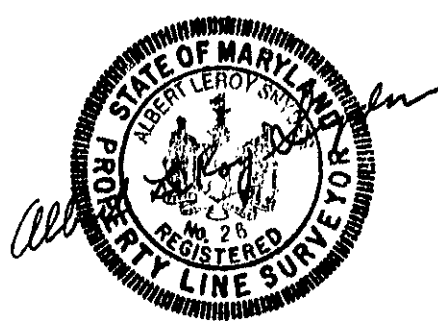
- NOTES:
1. CURRENT ZONING: R.C. 2 (MAP NW25K)
 2. AREA: 30,220 SQ. FT.
 3. TAX MAP: 25 BLOCK 10 PARCEL 03



FRONT ELEVATION: PROP. HOUSE

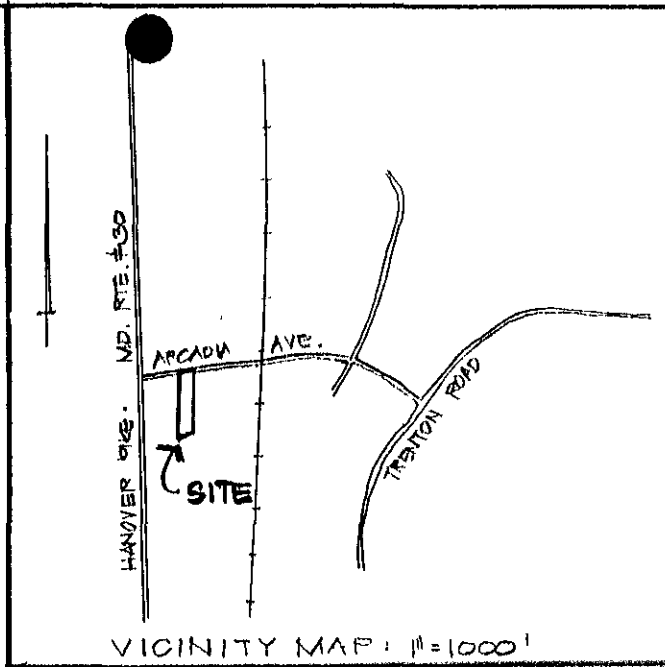
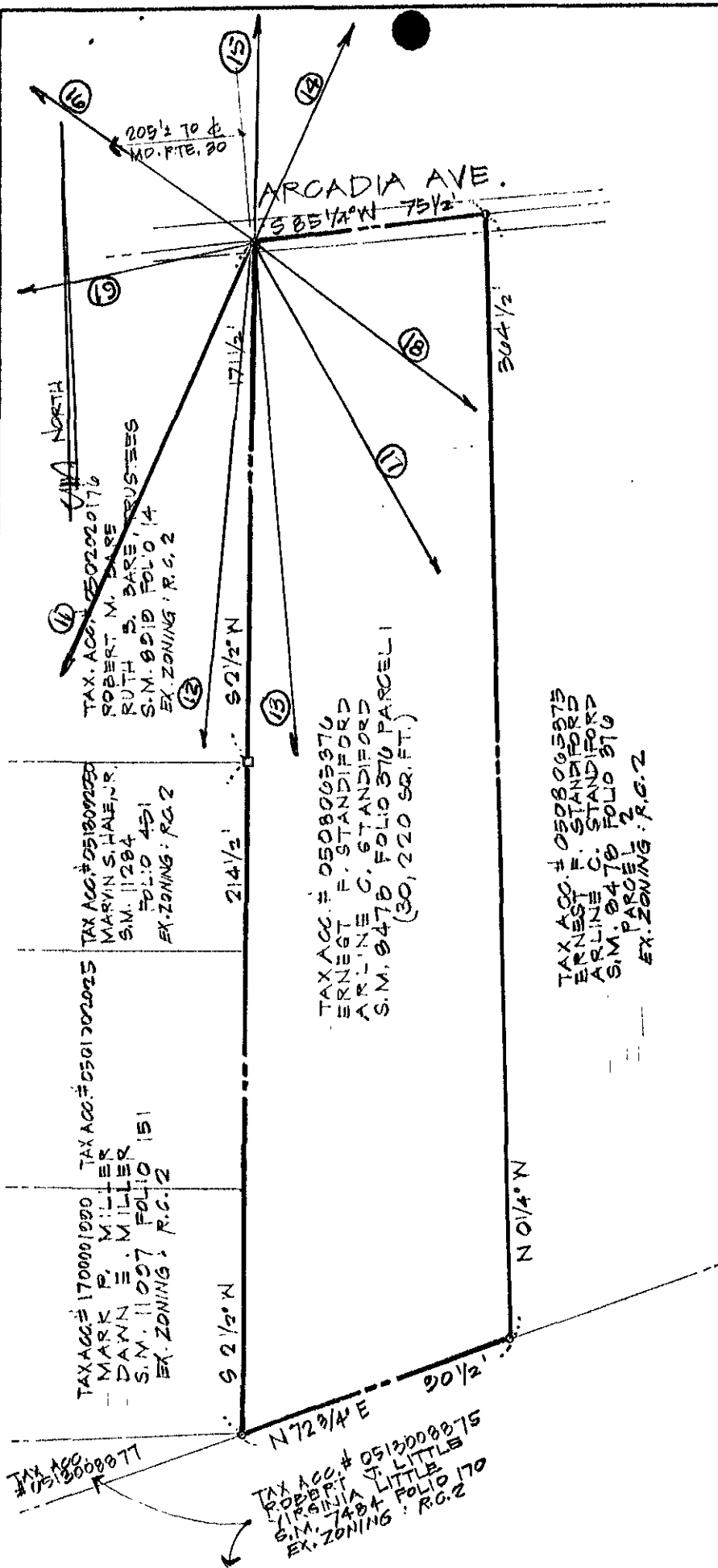
PLAN TO ACCOMPANY PETITION FOR
SPECIAL HEARING FOR PARCEL #1
OF LIBER S.M. 8478 FOLIO 376, ETC.

5TH ELECTION DISTRICT • BALTIMORE COUNTY, MD.
COUNCILMANIC DISTRICT 8 • CENSUS TRACT: 4050
DATE: SEPTEMBER 16, 1996 • SCALE: 1" = 50'



PREPARED BY:
A.L. SNYDER
SURVEYOR, INC.
1911 HANOVER PIKE
HAMPSTEAD, MD. 21074
410-239-7744

MICROFILMED



- NOTES:
1. CURRENT ZONING: R.C. 2 (MAP NW 25K)
 2. AREA: 30,220 SQ. FT.
 3. TAX MAP: 25 BLOCK 10 PARCEL 03

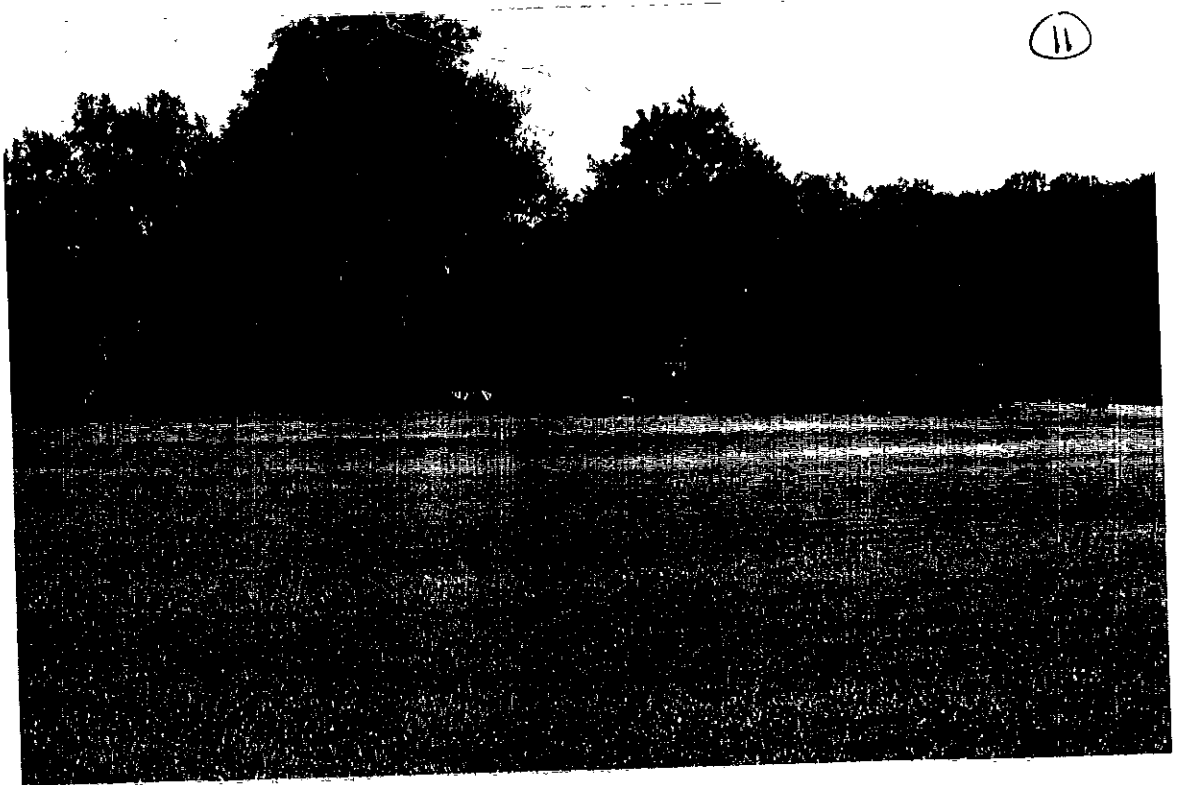
PLAN TO ACCOMPANY PETITION FOR
SPECIAL HEARING FOR PARCEL #1
OF LIBER S.M. 8478 FOLIO 376, ETC.

5TH ELECTION DISTRICT • BALTIMORE COUNTY, MD.
COUNCILMANIC DISTRICT 8 • CENSUS TRACT: 4050
DATE: SEPTEMBER 16, 1996 • SCALE: 1" = 50'



PREPARED BY:
A.L. SNYDER
SURVEYOR, INC.
1911 HANOVER PIKE
HAMPSTEAD, MD. 21074
410-239-7744

JOB NO. 26049



MICROFILMED

97-136-SPH

STORM DRAIN WORK SHEET

CONTRACT NO.

I.C. NO.

ITEM NOS.	APPROX. QUANTITIES	DESCRIPTION OF ITEM AND PRICES B/D (IN WRITTEN WORDS)	UNIT PRICE		AMOUNT	
			DOLLS.	CTS.	DOLLS.	CTS.
		LINEAR FEET OF ___ IN. X ___ IN. B.C.C.M. PIPE ARCH, TYPE ___, # ___ GAUGE				
		LINEAR FEET OF ___ IN. X ___ IN. B.C.C.M. PIPE ARCH, TYPE ___, # ___ GAUGE				
		LINEAR FEET OF ___ IN. X ___ IN. B.C.C.M. PIPE ARCH, TYPE ___, # ___ GAUGE				
		EACH OF STANDARD TYPE A-1 INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE A-1 INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE A-2 INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE A-2 INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE B-1 INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE B-1 INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE B-2 INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE B-2 INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE C INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE C INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE D INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE D INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE E INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE E INLET-VERTICAL DEPTH				
		EACH OF STANDARD TYPE E COMBINATION INLET-MINIMUM DEPTH				
		LINEAR FEET OF STANDARD TYPE E COMBINATION INLET-VERTICAL DEPTH				



STORM DRAINS WORK SHEET

PHASE II-A

CONTRACT NO. _____

SUBJECT CASTLE STONE @ WHITE MARSH

J.O. NO. _____

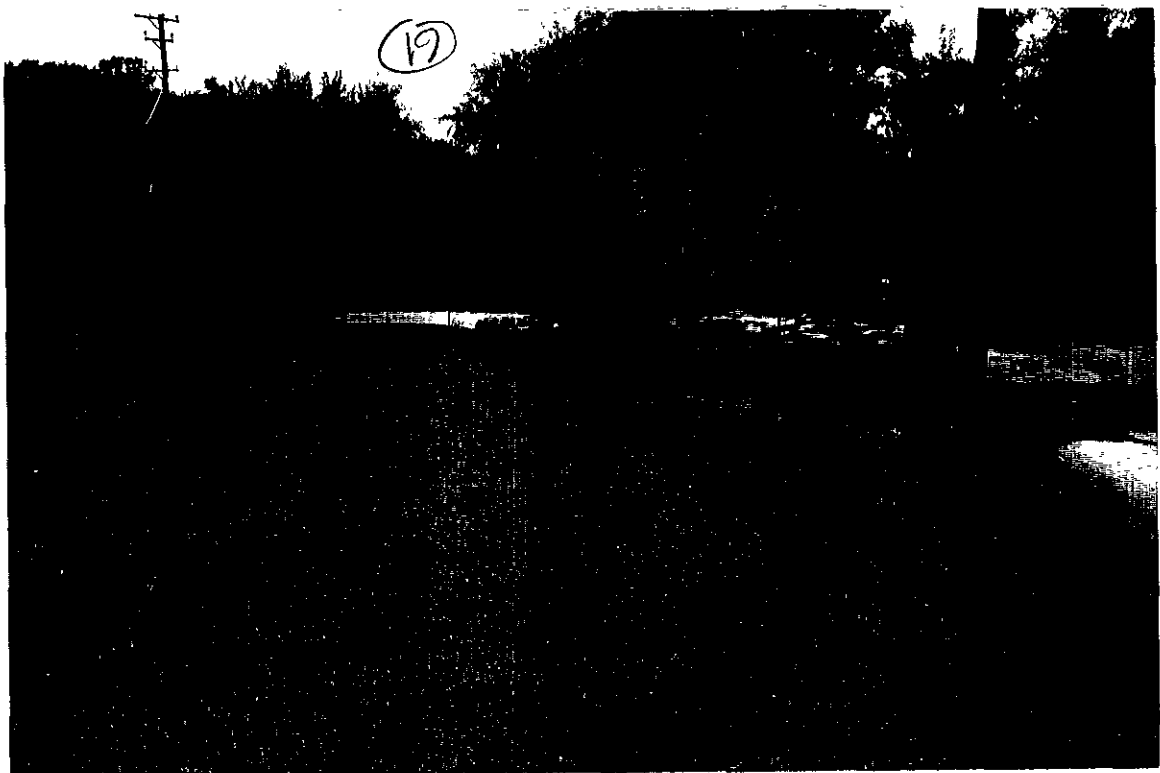
DIR. NO./P.W.A. NO. 149101DISTRICT NO. 14 C 6ESTIMATED BY/DATE DAVID A. DERICKSON 3/12/92

DWG. NOS. _____

CHECKED BY/DATE _____

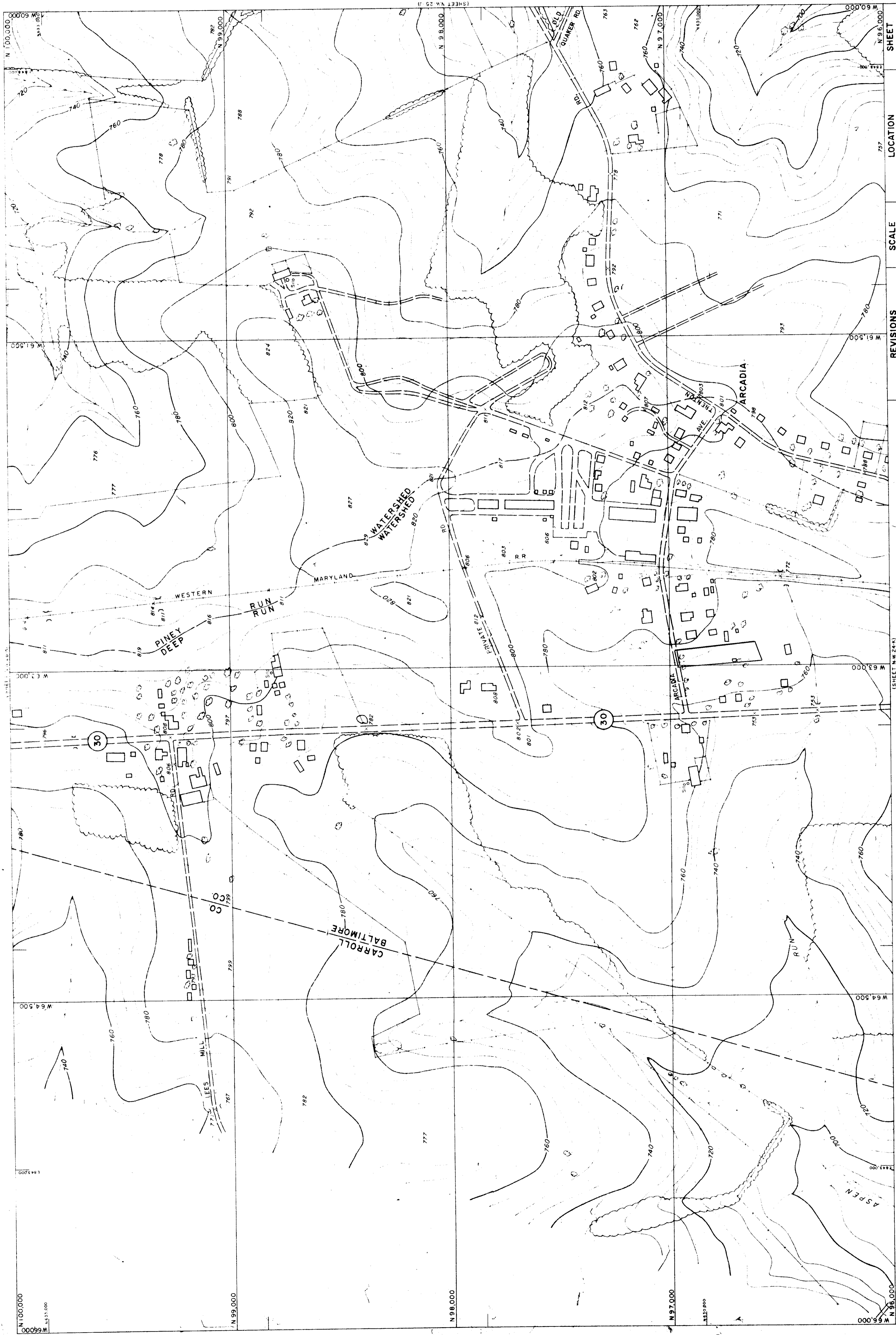
ITEM NOS.	APPROX. QUANTITIES	DESCRIPTION OF ITEM AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNT	
			DOLLS.	CTS	DOLLS	CTS
10601	1	L.S. MOBILIZATION				
10801	2	L.S. MAINTENANCE OF TRAFFIC				
30115	5	843 LINEAR FEET OF 15 IN. R.C.C. PIPE CLASS <u>IV</u>				
30118	6	593 LINEAR FEET OF 18 IN. R.C.C. PIPE CLASS <u>IV</u>				
30121	7	360 LINEAR FEET OF 21 IN. R.C.C. PIPE CLASS <u>IV</u>				
		LINEAR FEET OF ___ IN. R.C.C. PIPE CLASS ___				
		LINEAR FEET OF ___ IN. R.C.C. PIPE CLASS ___				
		LINEAR FEET OF ___ IN. R.C.C. PIPE CLASS ___				
		LINEAR FEET OF ___ IN. R.C.C. PIPE CLASS ___				
		LINEAR FEET OF ___ IN. R.C.C. PIPE CLASS ___				
		LINEAR FEET OF ___ IN. X ___ IN. R.C.C. ELLIPTICAL PIPE, CLASS ___				
		LINEAR FEET OF ___ IN. X ___ IN. R.C.C. ELLIPTICAL PIPE, CLASS ___				
		LINEAR FEET OF ___ IN. C.M. PIPE, # ___ GAUGE				
		LINEAR FEET OF ___ IN. B.C.C.M. PIPE, TYPE ___, # ___ GAUGE				
		LINEAR FEET OF ___ IN. B.C.C.M. PIPE, TYPE ___, # ___ GAUGE				
		LINEAR FEET OF ___ IN. B.C.C.M. PIPE, TYPE ___, # ___ GAUGE				

RE". 6/1/73



ITEM NO.	APPROX. QUANT.	DESCRIPTION		
		EACH OF		
		RELOC. EX. METER FOR HOUSE SERVICE		
		EACH OF		
		RELOC. EX. METER FOR HOUSE SERVICE		
		EACH OF		
		RELOC. EX. 5/8 IN. W. METER, RECONN TO NEW MAIN AND EX. HOUSE SERVICE		
		EACH OF		
		RELOC. EX. TWIN W. METER, RECONN. TO NEW MAIN AND EX. HOUSE SERVICE		
		EACH OF		
		RELOC. EX. 5/8 IN. W. METER AND RECONN. TO EX. HOUSE SERVICE		
		EACH OF		
		RELOC. EX. TWIN W. METER AND RECONN. TO EX. HOUSE SERVICE		
		LINEAR FEET OF		
		3/4 IN. COPPER PIPE TYPE K		
		LINEAR FEET OF		
		1 IN. COPPER PIPE TYPE K		
		LINEAR FEET OF		
		1 1/2 IN. COPPER PIPE TYPE K		
		LINEAR FEET OF		
		4 IN. HOUSE, GARAGE, ETC. CONNECTION - C.I.P.		
		LINEAR FEET OF		
		4 IN. HOUSE, GARAGE, ETC. CONNECTION - V.C.P. OR G.M.P.		
		LINEAR FEET OF		
		3 IN. PLASTIC PIPE		
019C	42	CY CY OF CL. 1A EXCAVATION AND REFILL USING CRUSHER RUN AGGR. BELOW SUB-GRADE & MAINLINE BASE COURSE INCL. EXCAV. 20133	6.40	
021F	1	TONS OF CALCIUM CHLORIDE 50006	450.00	
022F	1	CUBIC YARDS OF TEST PIT EXCAVATION 20730	55.00	
020C	20	LINEAR FEET OF 6 IN. EX. STGTH. PERF. PIPE U'DRAINS & PLAIN PIPE OUTLETS UP TO 150 L.F. R-25-A 50001	6.35	
C	-	LINEAR FEET OF 6 IN. EX. STGTH. PERF. PIPE U'DRAINS & PLAIN PIPE OUTLETS FROM 150 to 500 L.F. R-25-A	6.10	
C	-	LINEAR FEET OF 6 IN. EX. STGTH. PERF. PIPE U'DRAINS & PLAIN PIPE OUTLETS OVER 500 L.F. R-25-A	3.60	
015C	L.S	LUMP SUM OF MAINTENANCE AND REPAIR OF SEDIMENT CONTROL DEVICES 71017		
016C	10	CUBIC YARDS OF CLASS 2 EXCAVATION FOR SEDIMENT CONTROL 20233		
017C	10	TONS OF #2 STONE FOR SEDIMENT CONTROL 71016		
018C	50	LINEAR FEET OF STRAWBALES FOR SEDIMENT CONTROL 71020		
023F	100	SQUARE FEET OF TEMPORARY SIGNS FOR TRAFFIC CONTROL 10802	10.00	
		TOTAL FOR CONTRACT NO.		

append the drain quantities



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY, MARYLAND

BB-NE
FF-SE

REVISIONS		SCALE 1" = 200'	LOCATION ARCADIA	SHEET 25-K
BY	DATE			
Topography Compiled By Photogrammetric Methods MAPS, INCORPORATED - BALTIMORE 22, MARYLAND				

MICROFILMED N.W.

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
S/S Arcadia Avenue, 205' & 280' E * ZONING COMMISSIONER
of the c/l of Hanover Pike
(5429 & 5431 Arcadia Avenue) * OF BALTIMORE COUNTY
5th Election District * Case Nos. 97-132-SPH and
3rd Councilmanic District * Ernest F. Standiford, et ux
Ernest F. Standiford, et ux * Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as companion Petitions for Special Hearing for the subject adjoining properties known as 5429 and 5431 Arcadia Avenue, located in the vicinity of Hanover Pike in Upperco. The Petitions were filed by the owners of the properties, Ernest F. and Arline C. Standiford. In both cases, relief is sought to approve the subject properties as legal, nonconforming building lots, having existed in their current shape and size since prior to June 15, 1945. The subject properties and relief sought are more particularly described on the site plan submitted in each case, and identified as Petitioner's Exhibits 1.

Appearing at the hearing on behalf of the Petitions were Ernest and Arline Standiford, property owners, and Roy (A.L.) Snyder, Registered Property Line Surveyor, who prepared the site plans for both properties. Robert a Griesmyer, a realtor, also appeared in support of the Petition. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that these two properties are located adjacent to one another along Arcadia Avenue in a rural area of Baltimore County, approximately six miles north of Reisterstown. The property known as 5429 Arcadia Avenue consists of 31,680 sq.ft. zoned R.C.2 and is improved with a 1.5 story dwelling, and several accessory structures

to the rear of the site. The property is rectangular in shape, approximately 90 feet wide and 340 to 360 feet deep. The property known as 5431 Arcadia Avenue is unimproved and immediately adjoins the other lot. This property consists of 30,220 sq.ft., also zoned R.C. 2, and serves as a large side yard to the property at 5429 Arcadia Avenue. The Standifords testified that they acquired both properties simultaneously in 1954 and have resided at 5429 Arcadia Avenue since that time. They testified that both properties are separate lots of record, independently described in the Land Records for Baltimore County, and that separate property tax bills are issued for each property.

Mr. Snyder noted that he had examined the Land Records for Baltimore County regarding these properties. He testified that both properties existed as independent lots prior to 1945, the date that the first zoning regulations were enacted in Baltimore County. Thus, Mr. Snyder believes that the lots are nonconforming and that each may be utilized as an individual building lot.

Further testimony indicated that the Petitioners are apparently retiring to Florida. Mr. Standiford testified that 5429 Arcadia Avenue and the dwelling thereon have been sold and that settlement on that property will occur in the near future. The Petitioners anticipate selling the property at 5431 Arcadia Avenue as an independent lot, after which the new owners will no doubt construct a single family dwelling thereon.

A nonconforming use is defined in Section 101 of the B.C.2.R. and regulated in Section 104. Essentially, nonconforming use designations are applied to grandfather a given property from the zoning regulations. If the Petitioner can establish that the property's size and/or improvements thereon predate the regulations, then the regulations are not applicable.

- 2 -

In this case, it is abundantly clear that the subject properties have existed as two independent lots since prior to the adoption of the B.C.2.R. in 1945, and thus, enjoy a legal, nonconforming use as two separate building lots. Therefore, the Petition for Special Hearing in both cases should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 31st day of October, 1996 that the Petitions for Special Hearing to approve the properties known as 5429 and 5431 Arcadia Avenue as legal, nonconforming building lots, having existed in their current shape and size since prior to June 15, 1945, in accordance with Petitioner's Exhibits 1, be and are hereby GRANTED.

LES:bjjs

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

- 3 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 31, 1996

Mr. & Mrs. Ernest F. Standiford
P.O. Box 34
5429 Arcadia Avenue
Upperco, Maryland 21155

RE: PETITIONS FOR SPECIAL HEARING
S/S Arcadia Avenue, 205' & 280' E of the c/l of Hanover Pike
(5429 & 5431 Arcadia Avenue)
5th Election District - 3rd Councilmanic District
Ernest F. Standiford, et ux - Petitioners
Case Nos. 97-132-SPH and 97-136-SPH

Dear Mr. & Mrs. Standiford:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjjs

cc: Mr. Roy (A.L.) Snyder
1911 Hanover Pike, Hampstead, Md. 21074

People's Counsel
File



Petition for Special Hearing 97-136-SPH to the Zoning Commissioner of Baltimore County for the property located at #5431 Arcadia Avenue which is presently zoned RC 2

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the subject lot as a legally

Non-conforming building lot, having existed in its current shape and size since prior to October 6, 1945.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner

(Type or Print Name)
Signature

Address
City State Zipcode

Attorney for Petitioner
(Type or Print Name)
Signature

City State Zipcode

NAME of owner(s) of the property which is the subject of this Petition.
Legal Owner(s):

Ernest F. Standiford
(Type or Print Name)
Signature

Arline C. Standiford
(Type or Print Name)
Signature

P.O. Box 34
5429 Arcadia Ave.
Address Phone No.

Upperco MD 21155
Name, Address and phone number of representative to be contacted

A. L. Snyder
Name
1911 Hanover Pike (410) 239-7744
Address Phone No.

ESTIMATED LENGTH OF HEARING
intermittent for hearing Brief Two Months

ALL OTHER
REVIEWED BY: DATE: 9-25-96

A. L. Snyder
Surveyor, Inc.
1911 Hanover Pike
Hampstead, Maryland 21074 97-136 SPH
Zoning Description (410) 374-9695
September 17, 1996

Beginning for the same in or near the center of Arcadia Avenue, at the distance of 205 feet, more or less, east of the center line of Maryland Route No. 30 (Hanover Pike), which is 66 feet wide, thence running the following courses and distances,

- 1.) S 2 1/4° W 171 1/2 feet,
- 2.) S 2 1/4° W 214 1/2 feet,
- 3.) N 72 3/4° E 90 1/2 feet,
- 4.) N 0 1/4° W 364 1/2 feet,
- 5.) S 85 1/4° W 75 1/2, to the place of beginning.

Being the first parcel of land conveyed by D. Roxie Hodges to Ernest F. Standiford and Arline C. Standiford, his wife, by deed dated April 27, 1980 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 8478 folio 376 etc., also known as # 5431 Arcadia Avenue and located in the Fifth Election District.



MEMBER: Md. Soc. of Surveyors • W. Va. Assoc. of Land Surveyors • A.C.S.M.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Law for Baltimore County, has caused to be published in the TOWSON, MD., 10/10/96, 1996.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 10/10/96, 1996.

118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 is hereby notified.

Case 97-136-SPH (Item 12)

5431 Arcadia Avenue, 205' & 280' E of the c/l of Hanover Pike, 5th Election District, Baltimore County, Maryland.

Special Hearing to approve the subject lot as a legally nonconforming building lot, having existed in its current shape and size since prior to October 6, 1945.

Ernest F. Standiford and Arline C. Standiford

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/10/96, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 10/10/96, 1996.

THE JEFFERSONIAN,
A. HENRIKSON
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
SCHEMATIC CASH RECEIPT

DATE: 9-25-96 ACCOUNT: 601-6150

AMOUNT: \$ 50.00

RECEIVED FROM: 601-6150

FOR: 601-6150

61008011714100 450.00

VALIDATION ON SIGNATURE OF CARRIER

CERTIFICATE OF POSTING

RE: Case No. 97-136-SPH

Petitioner/Developer: ERNEST STANDIFORD, ETX

Date of Hearing/Closing: OCT. 29, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 5431 ARCADIA AVENUE

The sign(s) were posted on OCTOBER 14, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

666-5366
(Telephone Number)

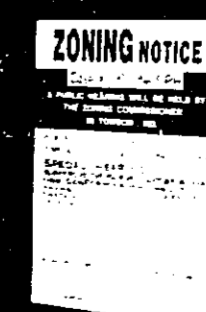


Exhibit B

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 10-6-96

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No. _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: APPEAL of the Subject Lot as a
Legally Non-Conforming Building Lot, having
EXISTED in its current shape and size
SINCE prior to October 6, 1945.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post 4.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 137 Petitioner: ERNEST F. STANDIFORD & ARLENE C. STANDIFORD

Location: 5431 ARCADIA AVENUE, UPPERCO, MD. 21155

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ERNEST F. STANDIFORD

ADDRESS: P.O. BOX 34

UPPERCO, MD. 21155

PHONE NUMBER: (410) 374-9904

Printed with Soybean Ink
on Recycled Paper

12

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by S. M. Egan on 9-25-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 10-7 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-22 C (B-3 Work Days)

TENTATIVE DECISION DATE 10-25 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____

Signature _____

Date of Posting: _____

Number of Signs: _____

TO: FUTURE PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

Ernest F. Standiford
P. O. Box 34
Upperco, MD 21155
374-9904

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-136-SPH(118-137)

5431 Arcadia Avenue

5/8 Arcadia Avenue, 205' x 1/2 of c/l Hanover Pike

5th Election District - 3rd Councilmanic

Legal Owner(s): Ernest F. Standiford and Arlene C. Standiford

Special Hearing to approve the subject lot as a legally non-conforming building lot, having existed in its current shape and size since prior to October 6, 1945.

HEARING: THURSDAY, OCTOBER 25, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCUDINO
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

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HEARING: THURSDAY, OCTOBER 25, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Ernest and Arlene Standiford
A. L. Seyler

NOTES: (1) THE HEARING NOTICE SIGN MUST BE POSTED ON THE PROPERTY BY OCTOBER 14, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Ernest F. Standiford
P.O. Box 34
5429 Arcadia Avenue
Upperco, MD 21155

RE: Item No.: 137
Case No.: 97-136-SPH
Petitioner: E. Standiford, et ux

Dear Mr. and Mrs. Standiford:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/ro
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

October 16, 1996

FROM: R. Bruce Seeley
DEPRM

SUBJECT: Zoning Item #137 - Standiford Property
5431 Arcadia Avenue
Zoning Advisory Committee Meeting of October 7, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Ground Water Management

Lot must be in accordance with COMAR 26.04.04 and 26.04.02.

RBS:RP:sp

STANDIF/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 106
Towson, Maryland 21204

RE: Baltimore County
Item No. 137 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2228 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 146 AND 147.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soy-based Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 16, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 137 & 145

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Keller*

PK/JL

ITEM137/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 17, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 15, 1996
Revised Item #84 (on 9/25/96)
and
Item Nos. 131, 132, 133, 135, 136,
137, 138, 140, 142, 144, 146,
& 147

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE31

RECEIVED
OCT 3 1996

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

97-136-SPH

DATE: September 25, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #137
5431 Arcadia Avenue

Applicant was advised of Section 304 variance procedure.

JCM:sq

#137 --- JCM

PETITION PROBLEMS

1. No telephone number for legal owner.

#138 --- MJK

1. No telephone number for legal owner.

#140 --- JRA

1. Petition says zoning is R.C.-2; folder says D.R.-1.

#141 --- JRA

1. No telephone number for legal owner.

#145 --- JLL/JCM

1. No attorney signature on the variance form.

#146 --- CAM

1. No signature for either legal owner on form.
2. No telephone number for legal owner.
3. No description for property on folder.

#147 --- JCM

1. No item number on petition forms.
2. No review information on petition forms.

10/1/96

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Evan McDannel
County Courts Bldg, Rm 406
401 Bowley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304 (2) Baltimore County Zoning Regulations effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a rezoning petition.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Lead Owner: ERNEST F. STANBROOK, JR. P.O. BOX 34 UPPHAWAY, MD 21155 (410) 374-9904

Address: P.O. BOX 34 UPPHAWAY, MARYLAND 21155 Telephone Number: (410) 374-9904

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Site Plan Property (2 copies) Top Map (enclosed in the 250 C.B.) (2 copies) (shows lot lines and contours)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (color) (not photos) of existing buildings surrounding neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: *Evan McDannel* Date: 10/16/96

For the Director, Office of Planning & Community Conservation

Revised 9/5/95

RE: PETITION FOR SPECIAL HEARING
5431 Arcadia Avenue, S/S Arcadia Avenue,
205 +/- E of c/l Hanover Pike
5th Election District, 3rd Councilmanic
Ernest F. and Arline C. Standiford
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-136-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

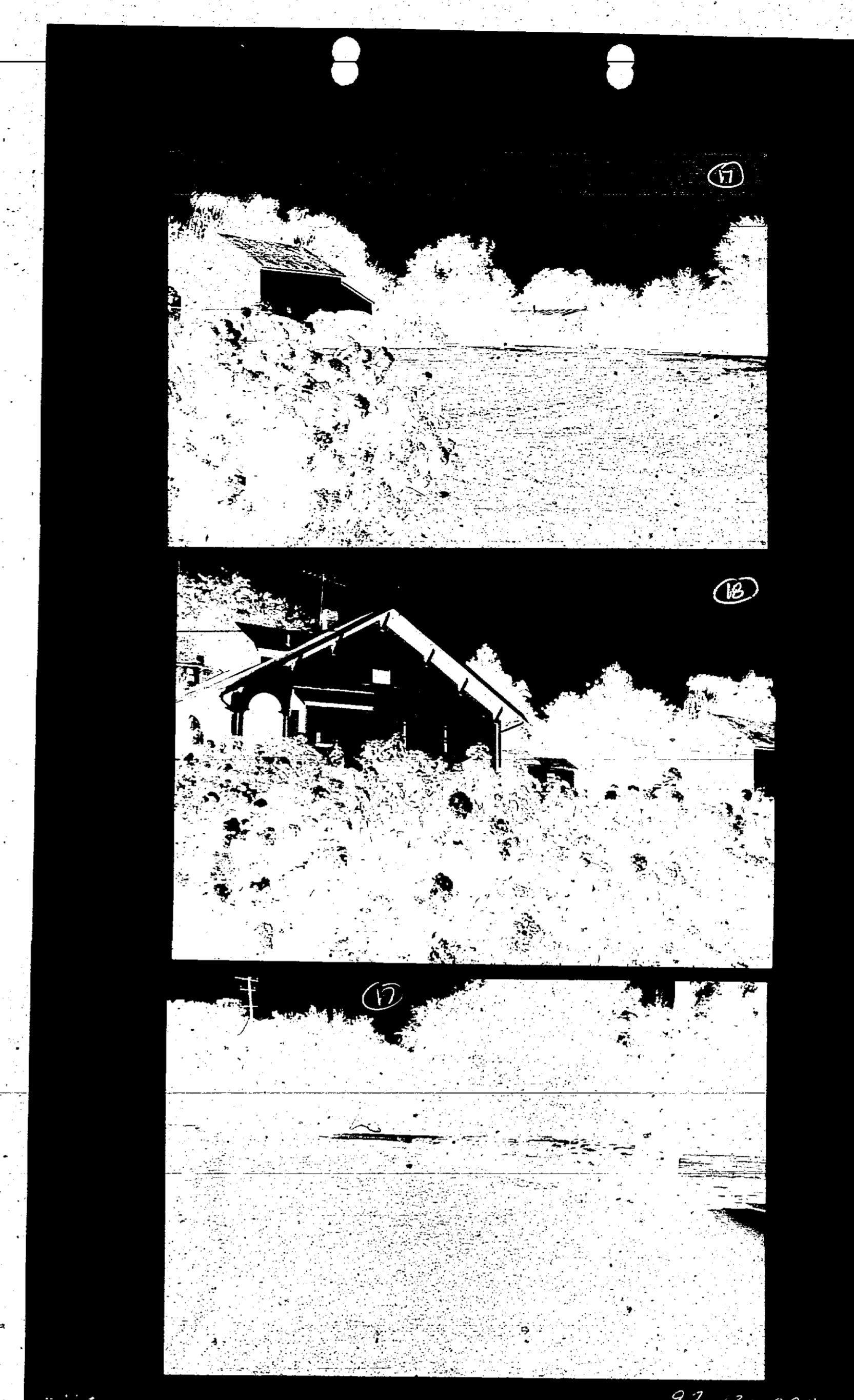
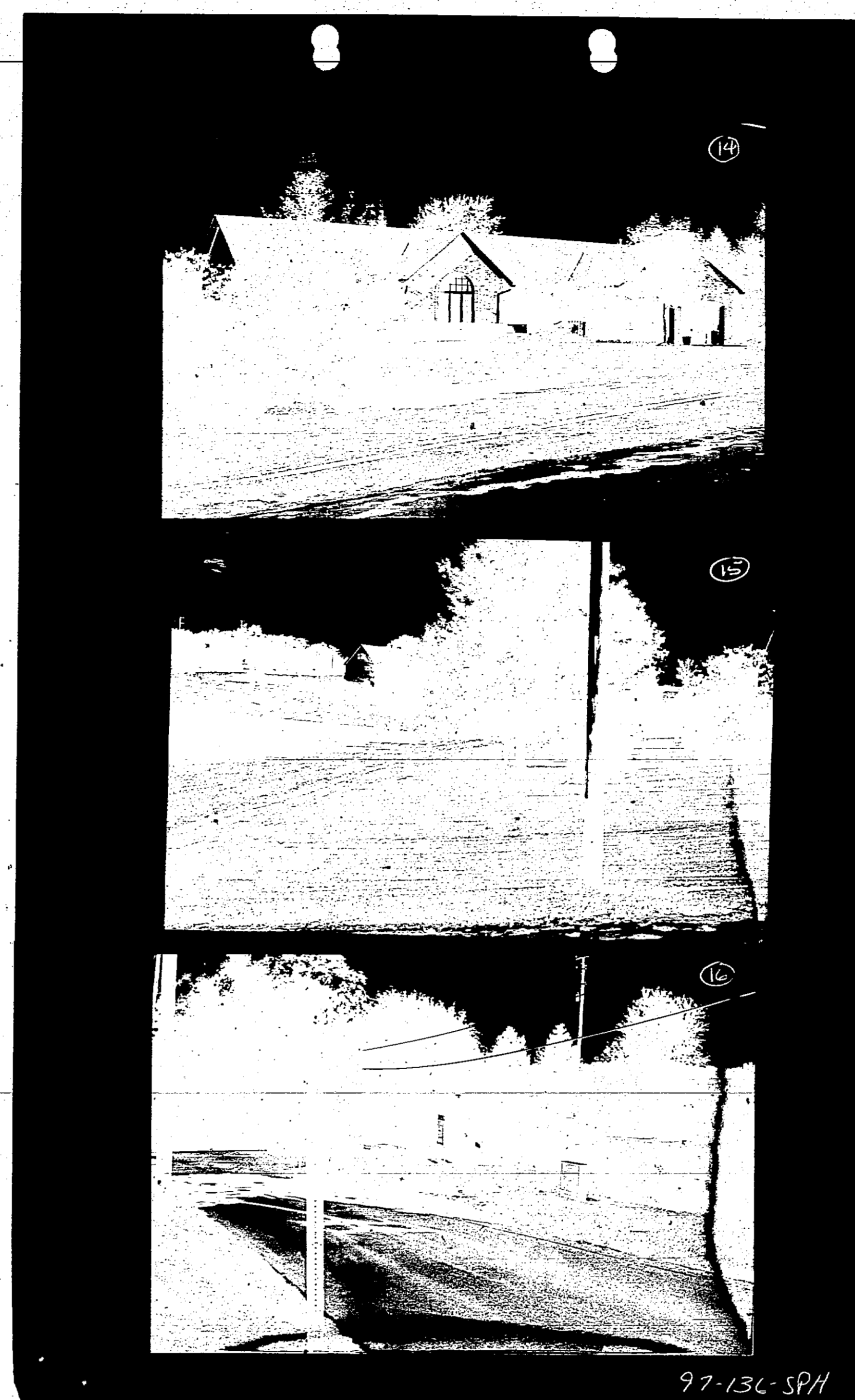
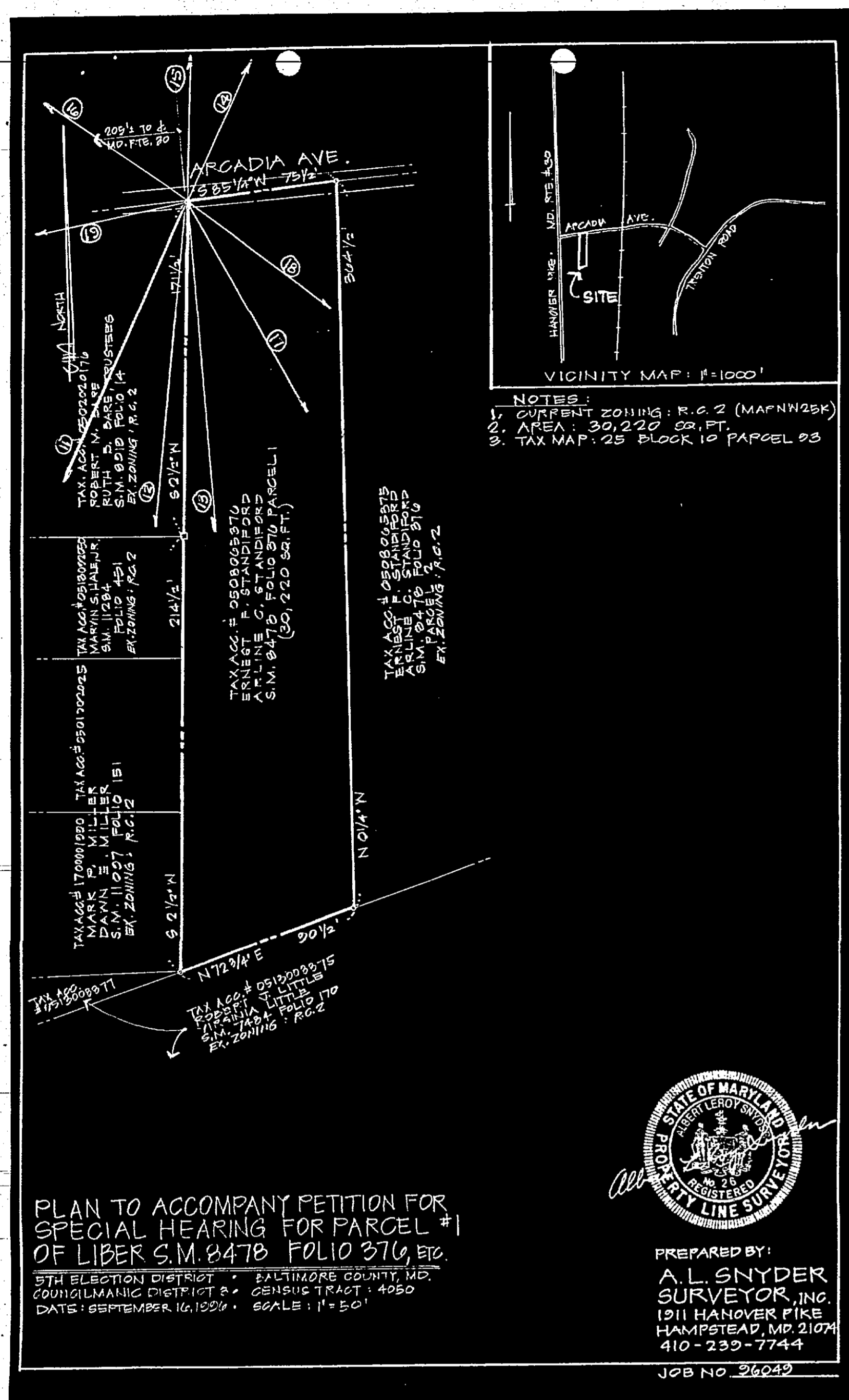
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

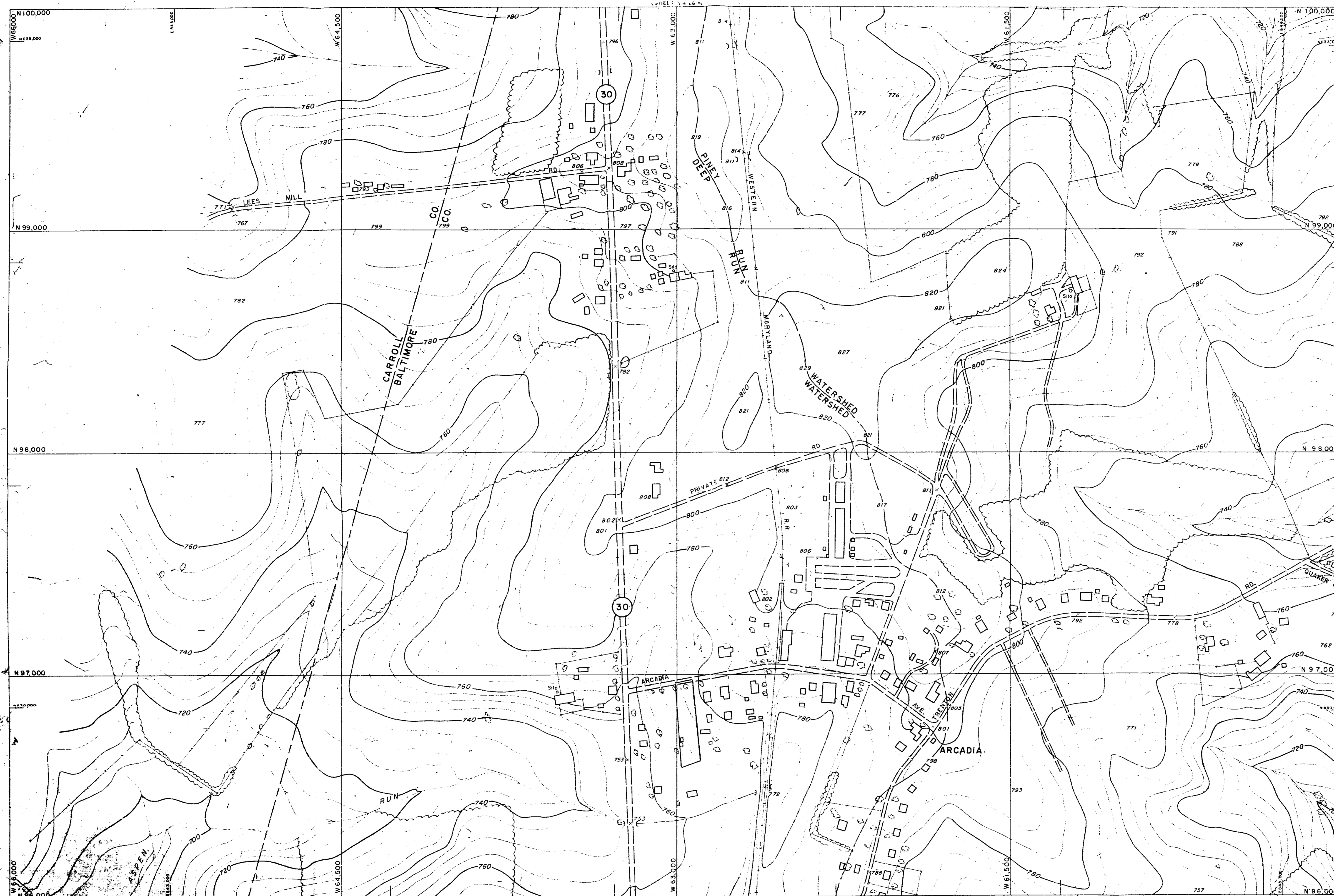
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to A.L. Snyder, 1911 Hanover Pike, Hampstead, MD 21074, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN





NE-NE
FF-SE

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY, MARYLAND

REVISIONS			SCALE	LOCATION	SHEET
	BY	DATE	1" = 200'	ARCADIA	N.W.
			DATE OF PHOTOGRAPHY APRIL 1961		25-K
Topography Compiled By Photogrammetric Methods MAPS INCORPORATED - BALTIMORE 22 MARYLAND					